

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION**

EQUAL EMPLOYMENT OPPORTUNITY)	
COMMISSION,)	
)	Civil Action No.: 21-cv-1130-JPS
Plaintiff,)	
)	
v.)	JOINT MOTION FOR
)	APPROVAL AND ENTRY
GIERTSEN COMPANY OF WISCONSIN,)	OF CONSENT DECREE
)	
Defendant.)	

Plaintiff Equal Employment Opportunity Commission (“EEOC”) and Defendant Giertsen Company of Wisconsin (“Defendant”) respectfully move this Court for approval and entry of the attached Consent Decree, agreed to by the parties, which resolves the above-referenced lawsuit.

On September 29, 2021, EEOC filed a Complaint against Defendant, *EEOC v. Giertsen Company of Wisconsin, d/b/a Giertsen Restoration*, Civil Action No. 2:21-cv-1130-JPS, alleging that Defendant violated Title VII of the Civil Rights Act of 1964 by subjecting Black employees to severe or pervasive racial harassment, including repeated use of racial slurs and repeated racially offensive comments and jokes. (Complaint, ECF No.1). EEOC also alleged Defendant violated Title VII by retaliating against an employee who complained of the harassment by subjecting him to unequal terms and conditions of employment and terminating his employment after he complained. *Id.* On April 8, 2022, Defendant filed its Amended Answer, denying the allegations and asserting defenses. (Def.’s Am. Ans., ECF No. 17).

The parties have agreed to the attached Consent Decree, which settles the claims at issue in this case. In reaching this Consent Decree, the EEOC and Defendant, acting by and through their counsel, engaged in negotiations and an exchange of information. The parties have obtained sufficient information to reliably assess the relative merits of the claims and defenses in this case.

The EEOC and Defendant were represented by counsel knowledgeable in this area of the law throughout this process. After extensive negotiation, the parties reached a settlement, the terms of which are outlined in the attached proposed Consent Decree. Accordingly, the parties jointly move this Court to approve and enter the proposed Consent Decree resolving this matter, with continuing jurisdiction for enforcement of the Consent Decree.

Respectfully submitted this 27th day of May 2022.

**ATTORNEYS FOR PLAINTIFF EQUAL
EMPLOYMENT OPPORTUNITY
COMMISSION**

/s/ Leslie N. Carter

Leslie N. Carter, IL Bar # 6311023
Senior Trial Attorney
EEOC Milwaukee Area Office
310 W. Wisconsin Avenue, Suite 500
Milwaukee, WI 53203
Telephone: 414-662-3711
Email: leslie.carter@eeoc.gov

/s/ Carrie Vance

Carrie Vance, WI Bar # 1056606
Senior Trial Attorney
EEOC Milwaukee Area Office
310 W. Wisconsin Ave, Suite 500
Milwaukee, WI 53203
Telephone: 414-662-3686
Email: carrie.vance@eeoc.gov

**ATTORNEY FOR DEFENDANT
GIERTSEN COMPANY OF WISCONSIN
D/B/A GIERTSEN RESTORATION**

/s/ Daniel D. Barker

Daniel D. Barker, WI Bar # 1026981
JACKSON LEWIS P.C.
22 East Mifflin Street, Suite 800
Madison, WI 53703
Telephone: 608-807-5273
Fax: 608-260-0058
Email: daniel.barker@jacksonlewis.com